

# EXHIBIT 9



Page 2

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2 A P P E A R A N C E S :  
3  
4

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21  
22 ALSO PRESENT:

23 ANTON EVANGELISTA, Videographer  
24 KIMBERLY VAN VOORHIS, ESQ., Nike  
25

Page 16

JOE PALLETT

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18           Q           Let's flip to Topic 31, same  
19 document.

20                   Before I ask you about 31,  
21 did you do anything specifically to  
22 prepare to testify on behalf of Nike on  
23 the Topic 23 that we were just speaking  
24 about?

25           A           We reviewed it and discussed

Page 24

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JOE PALLETT

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Q Were those in e-mails or  
other types of documents?

9

10

A E-mails. And there was a  
spreadsheet produced

11

12

Q Was the spreadsheet the  
preliminary findings documents that you  
mentioned?

13

14

A Yes.

15

16

Q Were you on the e-mails  
with -- was it --

17

18

A Mary.

19

20

Q Were you on the e-mails with  
Mary Ange?

21

22

A Yes.

23

Q And what did those documents  
refresh your recollection as to?

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JOE PALLETT

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A Through an e-mail.

Q And who is Mary Ange  
exactly?

A She's a member of the brand  
protection team that reports to me.

Q Where is she based?

A At our European headquarters  
in the Netherlands.

Page 38

1                                  JOE PALLETT

2       A                          Two years.

3       Q                          Until about 2015?

4       A                          Yeah.

5       Q                          And then what did you do  
6 from there?

7       A                          Following a series of  
8 stretch assignments, I joined the brand  
9 protection team.

10      Q                          What do you mean by a series  
11 of stretch assignments?

12      A                          Stretch assignments are  
13 something that exist at Nike that allow  
14 employees to spend a certain amount of  
15 their workweek working outside of their  
16 primary job to explore other options  
17 within the company.

18      Q                          So did you do stretch  
19 assignments within brand protection?

20      A                          Yes.

21      Q                          And that led to being hired  
22 full-time by brand protection?

23      A                          Yes.

24      Q                          Do you recall when you  
25 started working full-time for brand



Page 44

1

JOE PALLETT

2

3 Q You said your title changed.

4 What is your title today?

5 A Director of authentication

6 and innovation.

7 Q And how has your role

8 changed?

9

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Page 92

1                   JOE PALLETT  
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11                 A                 Sure.

12                 MS. DUVDEVANI: Objection.

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Page 131

1 JOE PALLETT

2 Q Do you recognize this  
3 document?

What is this document?

6 A It's a one-page document  
7 broadly describing the background,  
8 objectives, what potential next steps  
9 there are, challenges, individuals  
10 involved in a project that [REDACTED]

13 Q Were you involved in this  
14 project at all?

## 15 A I was.

16 Q What was your role?

22 Q So the project was called  
23 the ██████████ Project?

24 A Yes .

25 Q Broadly speaking, what was

Page 132

1

JOE PALLETT

2

the [REDACTED] Project?

3

4

5

6

7

Q What was the purpose of the  
[REDACTED] Project?

8

9

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11

12

13

14

15

Q Valiant Labs, what exactly  
is that?

16

17

18

19

A It's an odd group that  
exists at Nike that is given -- given  
some freedom to explore new business  
concepts.

20

21

Q Does the group still exist  
today?

22

23

24

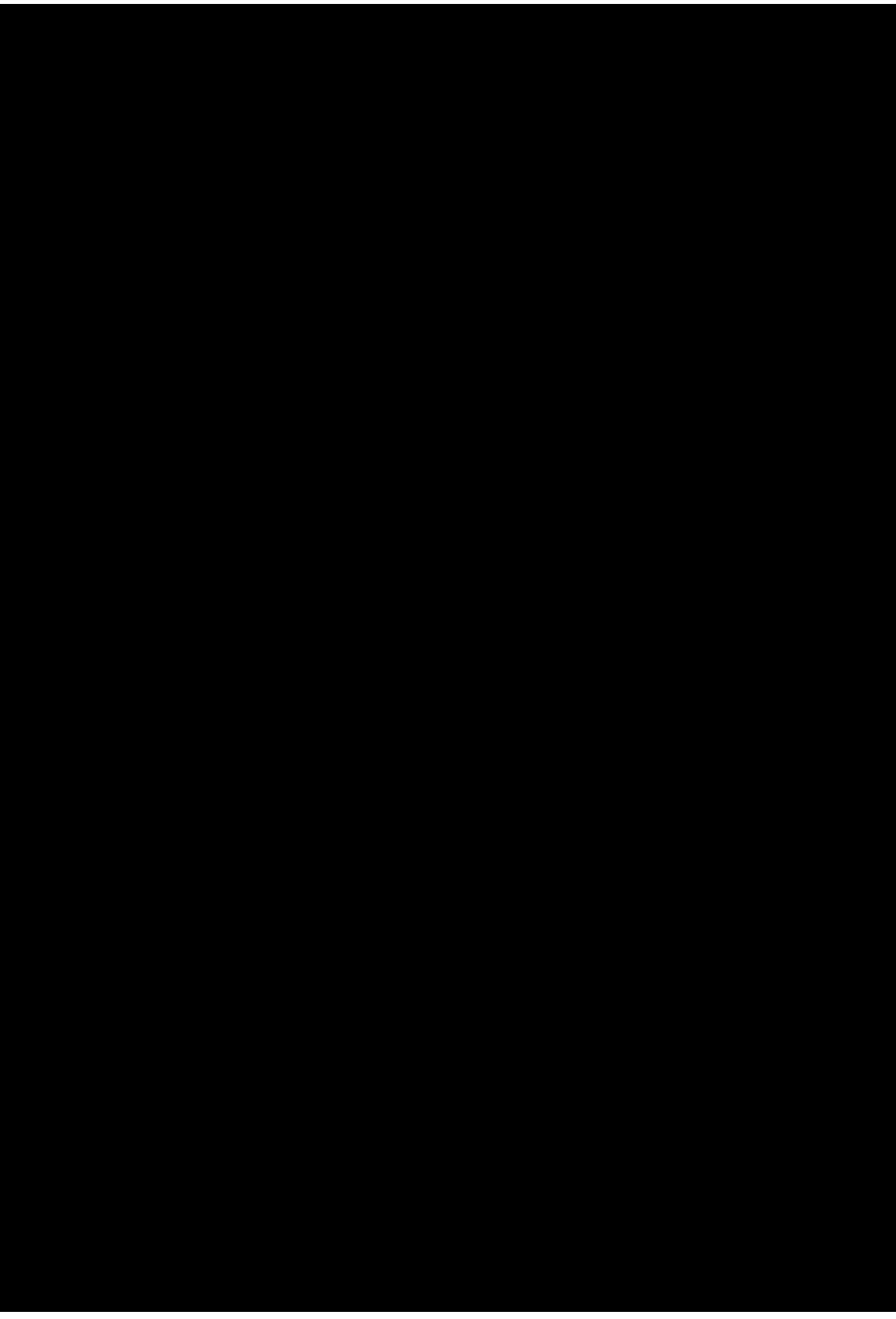
A I don't know.

Q Have you done any other

projects with the group, other than  
[REDACTED]

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JOE PALLETT

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JOE PALLETT

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Page 144

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JOE PALLETT

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3 How would you describe it?

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Q Any other concerns about the  
14 Project?

15

A Not from my perspective, no.

16

17

Q Looking at this document  
that's in front of you --

18

A Yes.

19

20

21

Q -- towards the top, there's  
an orange heading that says "Objectives  
and Outcomes."

22

Do you see that?

23

A Yes.

24

25

Q And there's some boxes  
underneath.

Page 165

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JOE PALLETT

[REDACTED]

11

MS. DUVDEVANI: Objection.

12

Q Do you agree with that?

13

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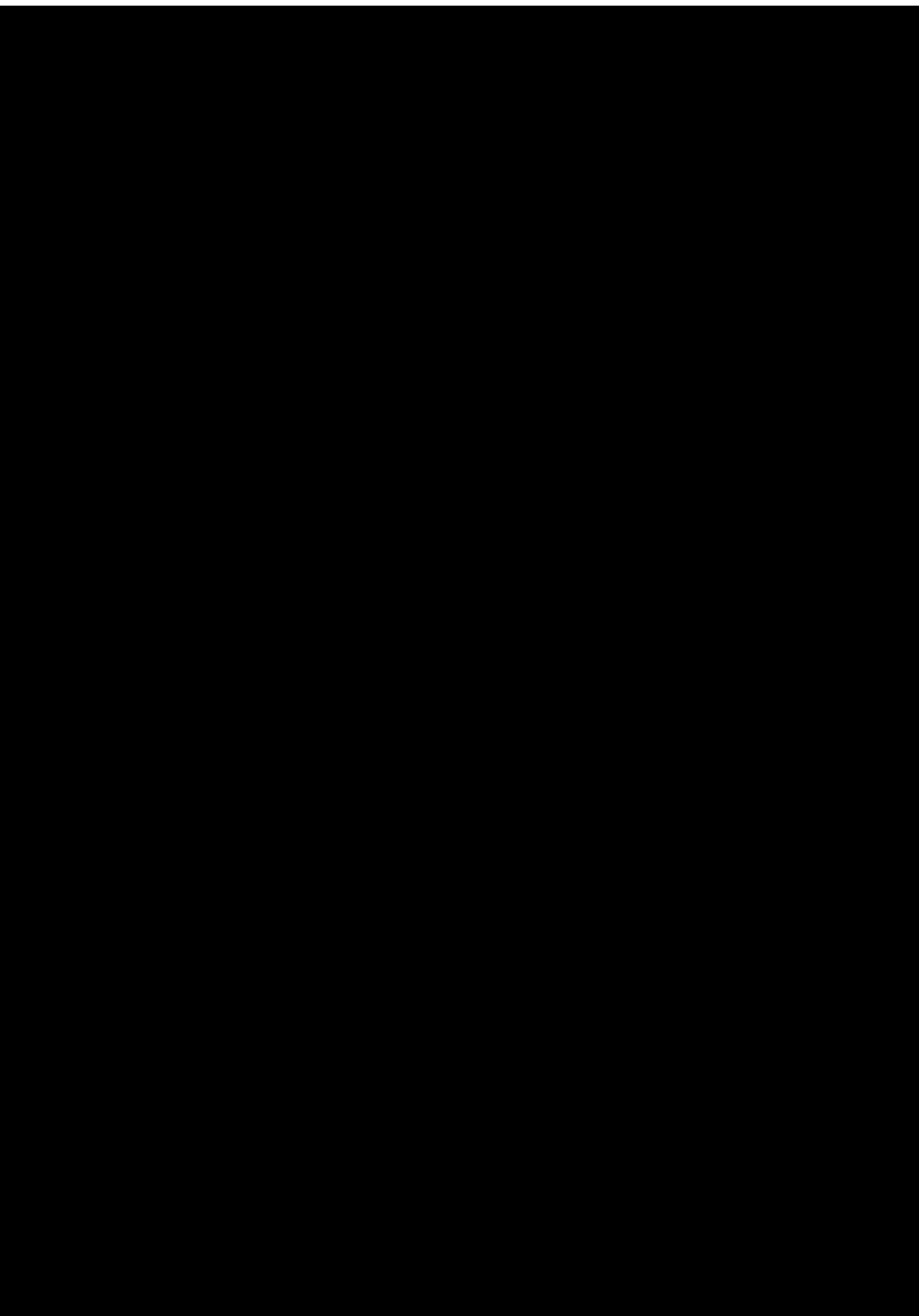
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JOE PALLETT



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JOE PALLETT

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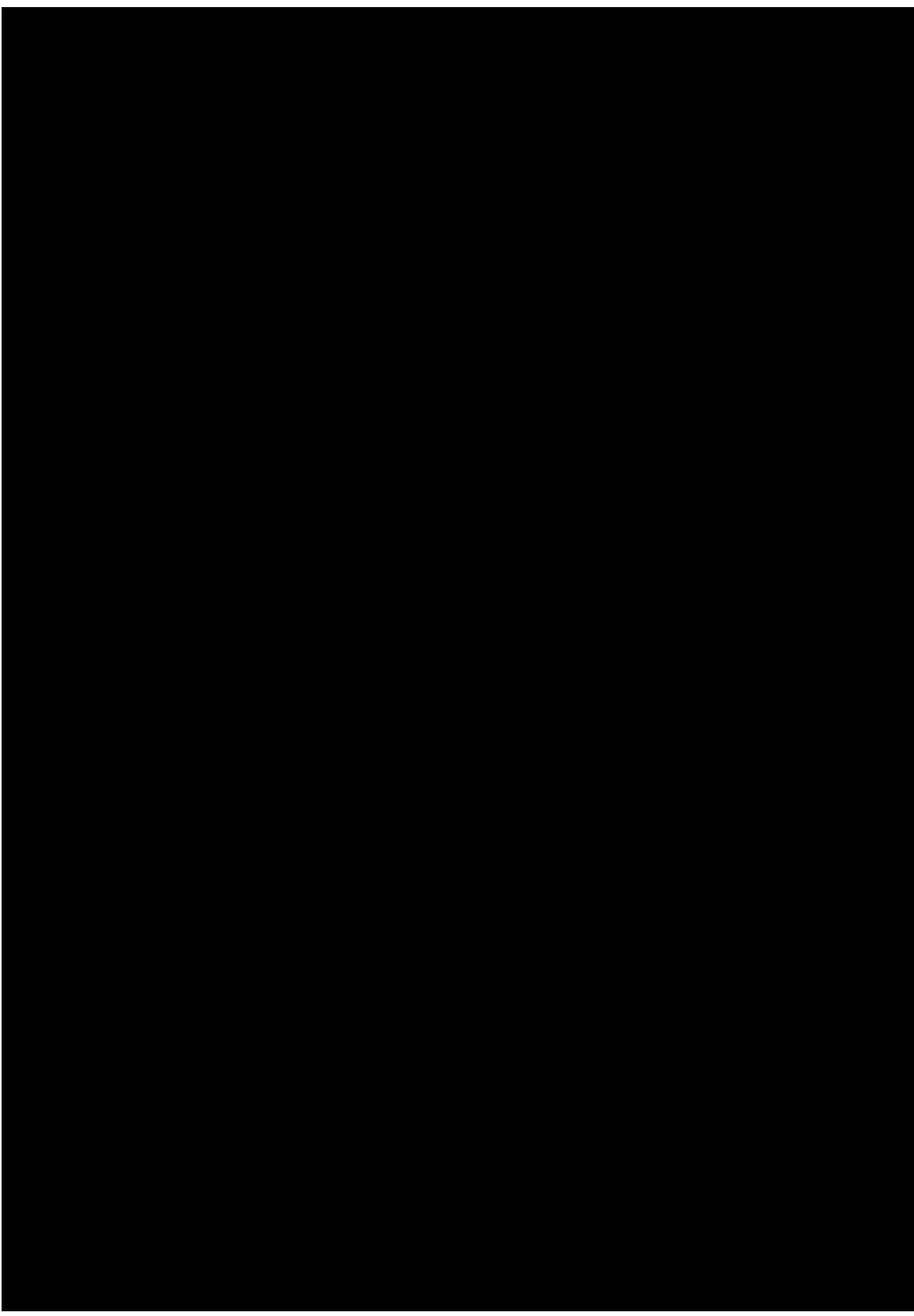
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JOE PALLETT

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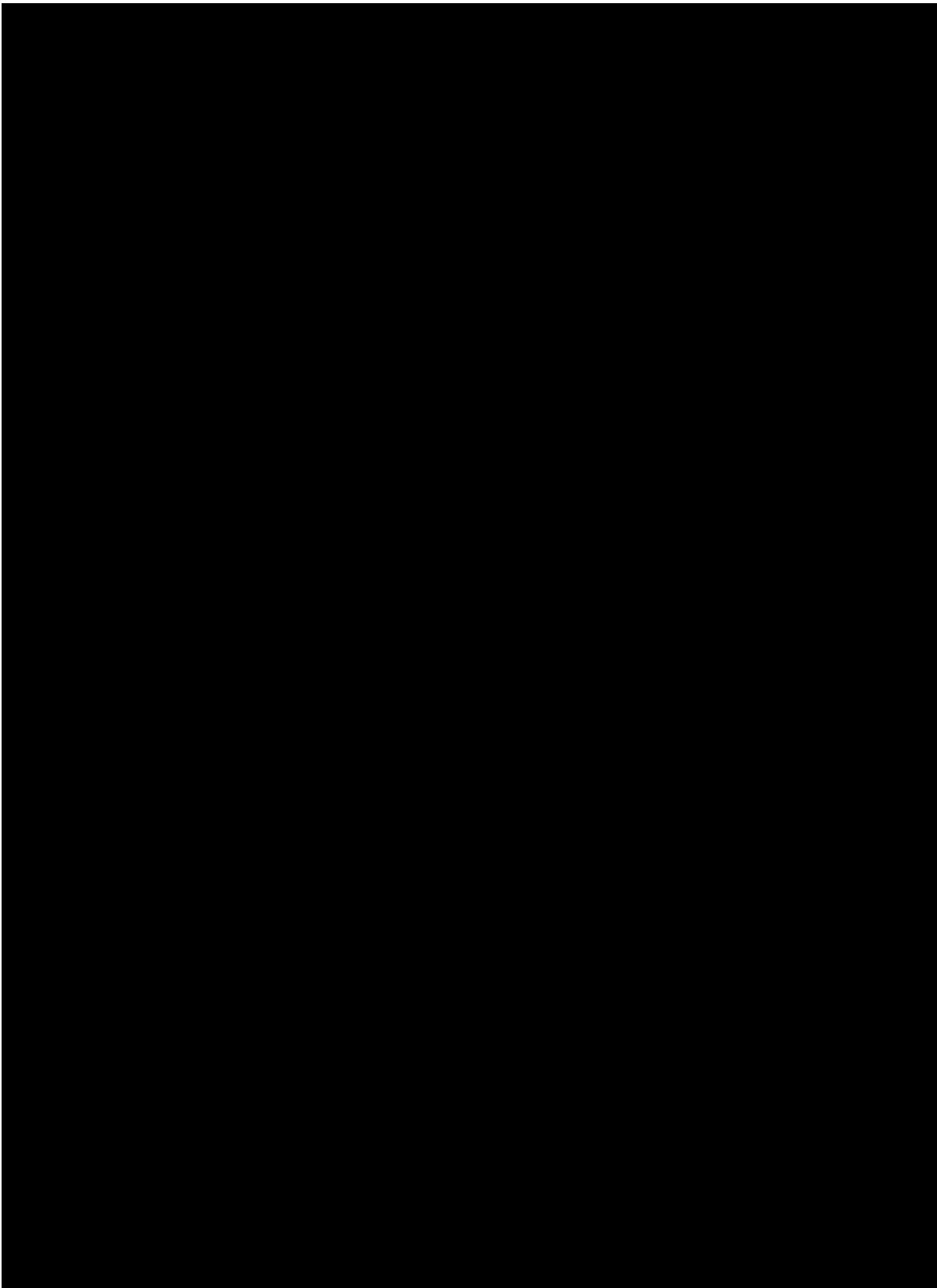
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JOE PALLETT



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JOE PALLETT

16 Q Got it.  
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Page 172

JOE PALLETT

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MS. DUVDEVANI: Objection.

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1                           JOE PALLETT

2       she's referring to. But she could have  
3       purchased intentionally, a counterfeit  
4       product.

5                           Q           Have you heard the term  
6       fakes factory before?

7                           A           I mean I'm assuming I read  
8       this e-mail. But we don't commonly use  
9       that term.

10                          Q           The last sentence in that  
11      paragraph says, "They also let us know  
12      this product came to them with a fake  
13      StockX tag on it as well. So it's a  
14      double whammy."

15                          Have you heard of fake  
16      StockX tags appearing before?

17                          A           Yes.

18                          Q           In what context?

19                          [REDACTED]

20                          Q           Can you be more specific?

21                          [REDACTED]

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JOE PALLETT

2

[REDACTED] And they  
have StockX tags, the little green tags  
attached to them.

5

Q That are fake?

6

A We believe that they're  
fake. We have no way of verifying that.

8

Q What's your basis for  
believing that they're fake?

10

A They're attached to  
counterfeit shoes.

12

Q Anything else?

13

A No.

14

Q If you go to the next e-mail  
in time from Vic Lortz --

16

A This is on page 498 that  
ends in 498?

18

Q No. Sorry. 496. We're  
going the other way.

20

A Yeah.

21

22

23

24

25

Page 277

1 JOE PALLETT

2 to me.

3 Q What did you do with them  
4 once you received them?

5 MS. DUVDEVANI : Objection.

6           A           I inspected them myself and  
7       then stored them in the brand protection  
8       evidence locker.

9 Q How did you inspect them?

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JOE PALLETT

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MS. DUVDEVANI: If you're

3

about to state -- I'm going to direct  
you not to make any statements about  
what you discussed with counsel for  
Nike.

4

5

6

THE WITNESS: Okay.

7

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MS. DUVDEVANI: I'm going to  
object and instruct the witness not  
to answer on the basis of  
attorney-client privilege.

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Page 279

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Q            And what did you learn at

8

that meeting?

9

MS. DUVDEVANI: Again, just

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A            Four.

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JOE PALLETT

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JOE PALLETT

13                   Then what did you do with  
14       the shoes?

15       A           Locked them in the evidence  
16       locker.

17       Q           Have you looked at them  
18       since?

19       A           They were removed from the  
20       evidence locker, so that we could take  
21       photographs of them.

22       Q           Anything else?

23       A           No.

24                   MS. BANNIGAN: We're going  
25       to mark as Exhibit 13, a document

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JOE PALLETT

14 Q Do you recall anything else  
15 you did with the shoe?

16 A Put it in the storage  
17 locker.

18 Q It's in the storage locker  
19 now with the other ones?

20 A Yes.

21 Q For all of these -- how many  
22 of them -- is it four total or five  
23 total?

24 A Four.

25 Q [REDACTED]

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15 MS. DUVDEVANI: Objection.

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7 MS. DUVDEVANI: Objection.

8 A I'm sorry. Could you try  
9 that one again?

10 Q Sure.

11 So other than this  
12 investigation that we're talking about --  
13 withdrawn that.

14  
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19  
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21 Q I believe that you're  
22 familiar with Roy Kim?

23 A Yes.

24 Q Who is Roy Kim?

25 A Roy Kim is a shoe collector

1

JOE PALLETT

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6

Q You said that Mr. Kim is a

shoe collector and trader from San Diego.

7

What do you mean by that?

8

A He collects shoes.

9

Q Do you know anything else

10

about his background with respect to

11

collecting shoes?

12

A No.

13

Q Did you ask him anything

14

about his shoe collection?

15

A No.

16

Q Did you ever meet Mr. Kim?

17

A Briefly, yes.

18

Q And what were the

19

circumstances in which you met Mr. Kim?

20

A He invited us to his house

21

to inspect a product that he was

22

suspicious was counterfeit.

23

Q Did you go to his house?

24

A Yes.

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JOE PALLETT

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JOE PALLETT

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JOE PALLETT

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JOE PALLETT

Page 312

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JOE PALLETT

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Q Did you have any  
conversations with Mr. Kim while you were  
there?

9

10

A No. He offered me something  
to drink. That was about it.

11

12

Q Did he -- was he -- so you  
did this outside on his back porch?

13

14

A Yeah. I got a bad sunburn.  
Q Was he outside while you  
were doing it?

16

17

A No.  
Q Did he come out at all while  
you were doing it?

19

20

A He came out to see how  
things were going.

21

22

Q Did he ask whether you were  
finding counterfeits?

23

24

A He didn't ask me.  
Q Did you give him any

25

information about your results?

Page 313

1                           JOE PALLETT

2         A           At the end, I confirmed that  
3         four of the pairs that he was suspicious  
4         were authentic.

5         Q           Did you give him that  
6         information?

7         A           Yes.

8         Q           Did you tell him which  
9         pairs?

10        A           Yes.

11        Q           Did you tell him anything  
12        else?

13        A           Not that I can recall.

14

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Page 314

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JOE PALLETT

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Q Did anyone go with you to  
Roy Kim's house?

9

A Yes.

10

Q Who?

11

A An attorney named Melissa.

12

Q Melissa who?

13

14

A I don't remember her last  
name.

15

16

Q She was an attorney from  
Nike?

17

A No.

18

MS. DUVDEVANI: Melissa  
Reinckens.

19

MS. BANNIGAN: From DLA?

20

MS. DUVDEVANI: Correct.

21

22

Q And what did Melissa do  
while you were there?

23

24

A She sat by the shoes and let  
me do my work.

Page 315

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JOE PALLETT

2

Q Did she inspect the shoes at  
all?

4

A No.

5

Q Were any of the shoes in  
Mr. Kim's possession missing a StockX tag

or a receipt?

8

A Yes.

9

Q And were you able to  
conclude -- in that scenario, how was  
Nike able to conclude that the shoes were  
sold by StockX?

13

A I don't know.

14

MS. DUVDEVANI: Objection.

15

Q Is Nike able to conclude  
that those shoes were sold by StockX?

17

MS. DUVDEVANI: Objection.

18

A I don't know.

19

MS. BANNIGAN: We're going  
to mark this as Exhibit 15.

21

(The above-referred-to  
document was marked as Exhibit 15 for  
identification, as of this date.)

24

MS. DUVDEVANI: Any idea  
approximately how much longer we're

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1 JOE PALLETT

2 going today?

3 MS. BANNIGAN: I think we  
4 have less than an hour left. So less  
5 than an hour.

6 MS. DUVDEVANI: Okay.

7 Q This is a chart with the  
8 beginning Bates Stamp NIKE0029087. Given  
9 the size we printed it, you can't see the  
10 Bates Stamp on the document. But that  
11 was the Bates Stamp it was produced with  
12 by Nike.

13 You recognize this chart?

14 A Yes.

15 Q Did you make it?

16 A Yes.

17 Q When did you make it?

18 A After visiting Roy Kim.

19 Q Why did you make this chart?

20 A To document the findings  
21 that I made after inspecting Roy Kim's  
22 shoes.

23 Q And does this chart  
24 accurately reflect your findings?

25 A Yes.